

prior to the present disclosure, the skilled artisan would not have had a reasonable basis to expect that the experiments would demonstrate that the combination of a FLT-3 inhibitor and an HDAl to induce apoptosis of MV4-22 cells synergistically and induce more apoptosis of the primary AML cells expressing mutant FLT-3, as described in the publication. Therefore, the presently claimed methods are patentable over the references:

Applicants further direct the Examiner's attention to the disclosure at page 53-55 of the specification, which describes experiments similar or identical to those described in Bali et al. Applicants assert that nothing in the combined disclosure of the references would lead the skilled artisan to expect the results demonstrated in Bali et al and the present examples. Therefore, the present claims are patentable over the combined disclosure of the references.

For the reasons discussed above, Applicants request withdrawal of the rejection under 35 USC 103(a).

Entry of this amendment and reconsideration and allowance of the claims are requested.

Respectfully submitted,



George R. Dohmann  
Attorney for Applicants  
Reg. No. 33,593

Novartis Pharmaceuticals Corp.  
Patents Pharma  
One Health Plaza, Building 104  
East Hanover, NJ 07936-1080  
(862) 778-7824

Date: 5/29/09